

SUPREME COURT

FILED

AUG 17 2011

Frederick K. Ohlrich Clerk

S194861

IN THE SUPREME COURT OF CALIFORNIA

En Banc

Deputy

CALIFORNIA REDEVELOPMENT ASSOCIATION et al., Petitioners,

v.

ANA MATOSANTOS, as Director, etc. et al., Respondents.

The court's order of August 11, 2011, is modified to read as follows:

The request for a stay of chapter 5, Statutes 2011, First Extraordinary Session (Assembly Bill No. 26 X1) is granted, except that the request to stay Division 24, Part 1.8 of the Health and Safety Code (Health & Saf. Code, §§ 34161-34169.5) is denied.

The request for a stay of chapter 6, Statutes 2011, First Extraordinary Session (Assembly Bill No. 27 X1) is granted, except that the request to stay Health and Safety Code section 34194, subdivision (b)(2) is denied.

Ana Matosantos, Director of the California Department of Finance, John Chiang, Controller of the State of California, and Patrick O'Connell, Auditor-Controller of the County of Alameda, are ORDERED TO SHOW CAUSE before this court, when the above matter is called on calendar, why the relief sought by petitioners should not be granted.

The return is to be served and filed by respondents on or before September 9, 2011.

A reply may be served and filed by petitioners on or before September 23, 2011.

Any application to file an amicus curiae brief, accompanied by the proposed brief, may be served and filed on or before September 30, 2011.

Any reply to an amicus brief may be served and filed on or before October 7, 2011.

The parties are directed to address, in the return and reply, the following questions: Assuming solely for the sake of argument that the court's decision upholds both statutes and dissolves the existing stay, what effect would the stay have on the statutory dates for compliance, including those for enactment of an ordinance (Health & Saf. Code, § 34193, subd. (a)) and payment of the remittance amount (*id.*, § 34194, subd. (d))? If it becomes necessary to postpone the statutory compliance dates, what should the new dates be?

The court does not contemplate extending any time set out above. The briefing schedule is designed to facilitate oral argument as early as possible in 2011, and a decision before January 15, 2012. Without expressing any opinion on the merits, the court intends that Assembly Bills No. 26 X1 and 27 X1 will, if upheld, be implemented with as little delay as possible.

Kennard, J., is of the opinion a stay should not be issued.

Cantil-Sakauye
Chief Justice

Kennard
Associate Justice

Baxter
Associate Justice

Werdegar
Associate Justice

Chin
Associate Justice

Corrigan
Associate Justice

Associate Justice